



The State of New Hampshire  
**Department of Environmental Services**



**Thomas S. Burack, Commissioner**

January 9, 2014

The Honorable Russell E. Prescott, Chair  
Energy and Natural Resources Committee  
Legislative Office Building, Room 101  
Concord, NH 03301

**RE: SB 363 An Act relative to insurance coverage for facilities for the Winnepesaukee River basin control.**

Dear Chair Prescott and Members of the Committee:

Thank you for the opportunity to testify on SB 363. This bill would change the time of waiver applicability, the requirement to purchase liability, general and pollution, insurance, and the practice of insurance procurement for Winnepesaukee River Basin Program (WRPB), which is operated for the member communities by the Department of Environmental Services (DES). DES supports this bill.

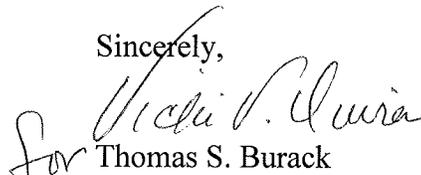
If enacted, SB 363 would make RSA:485-A:53 language consistent with existing insurance practices, available insurance coverage and procurement procedures. The following changes would occur:

- The requirement for liability, general and pollution insurance would be removed. These types of insurance have been unavailable for at least the last 15 years. Consequently, waivers are constantly required for insurance that is no longer available.
- Insurance waivers would no longer be tied to the existing fiscal year thus providing more flexibility. There is no contemporary reason to tie these waivers to a fiscal year.
- Outdated and prescriptive procedures for the purchase of insurance would be removed thus enabling easier adaptation to routine changes in state administrative practices and procedures.

There are no financial impacts to the WRBP associated with this legislation. The need for these changes was also unanimously agreed to by the WRBP Advisory Board at its meeting held on October 17, 2013.

Thank you for your consideration in this matter. If you have questions or need additional information, please contact either Harry Stewart, Director, Water Division ([Harry.Stewart@des.nh.gov](mailto:Harry.Stewart@des.nh.gov), 271-3308) or Sharon McMillin, Administrator, Winnepesaukee River Basin Program ([Sharon.McMillin@des.nh.gov](mailto:Sharon.McMillin@des.nh.gov), 934-4032).

Sincerely,

  
Thomas S. Burack  
Commissioner

cc: Sponsors of SB 363  
Linda M. Hodgdon, Commissioner, Department of Administrative Services